

Article 2: Administrative Code

Division 31: Public Works Contracts

(“Public Works Contracts”
added 6-29-1998 by O-18532 N.S.)

§22.3101 Purpose

This Division is intended to establish procedures for contracting for public works, and to clarify when competitive bidding is required, for *major public works contracts*. It also authorizes *general requirements contracts* under limited circumstances.
(Amended 9-3-2002 by O-19095 N.S.)

§22.3102 When Major Public Works Contracts May be Awarded by City Manager

- (a) The City Manager may *award a major public works contract* that provides for an expenditure of an amount equal to or less than \$1,000,000 provided that the following requirements are met:
- (1) the major public works project was previously approved and appropriated through the Annual Capital Improvements Program (CIP) budget; and
 - (2) the *major public works contract* has been advertised as described in Section 22.3006; and
 - (3) the *major public works contract* is in writing.
- (b) All other *major public works contracts* that do not meet the requirements of Section 22.3102 (a) are required to be authorized by the City Council before being awarded by the City Manager. The City Council may authorize the City Manager to award a *public works contract* if it has met the following requirements:
- (1) the *public works contract* has been advertised as described in Section 22.3006; and
 - (2) the *public works contract* is in writing; and
 - (3) the City Council has authorized the necessary expenditure of funds for the *public works contract*.

(“Public Works Contracts Required to be Competitively Awarded” retitled to “When Major Public Works Contracts May be Awarded by City Manager” and amended 9–3–2002 by O–19095 N.S.)

§22.3103 General Requirements Contracts

- (a) General Requirements Contracts for public work may be awarded by the City Council under written agreement under the provisions of Section 94 of the City Charter, subject to the limitations of Section 22.3103(a)–(d):
 - (1) The specifications were advertised in accordance with Section 22.3006.
 - (2) The specifications provided for sealed competitive bidding on unit–cost terms for all labor, material, and equipment necessary to perform all work contemplated for individual Task Orders.
 - (3) The General Requirements Contract does not exceed a term of two years in duration.
- (b) If a General Requirements Contract is awarded for a term less than two years, one or more extensions may be awarded but the entire term of the requirements contract, including extensions, may not exceed two years.
- (c) A General Requirements Contract may not contain any provision which would guarantee the contractor cumulative Task Orders in excess of \$50,000.
- (d) A General Requirements Contract may not exceed the sum of \$10,000,000 for the time in which the requirements contract is effective, including any extensions.

(“General Requirements Contracts” added 6–29–1998 by O–18532 N.S.)

§22.3104 Task Orders

- (a) Following award of a General Requirements Contract by the Council, the City Manager may thereafter identify and issue Task Orders under the General Requirements Contract and shall certify in accordance with Section 22.3104(b) that the public will not benefit from strict compliance with the competitive bidding requirements of Charter section 94 for the Task Order because, under the particular circumstances, one or more of the following criteria have been met: